

Exhibit 1

From: "William Portuese" <Redacted.com>

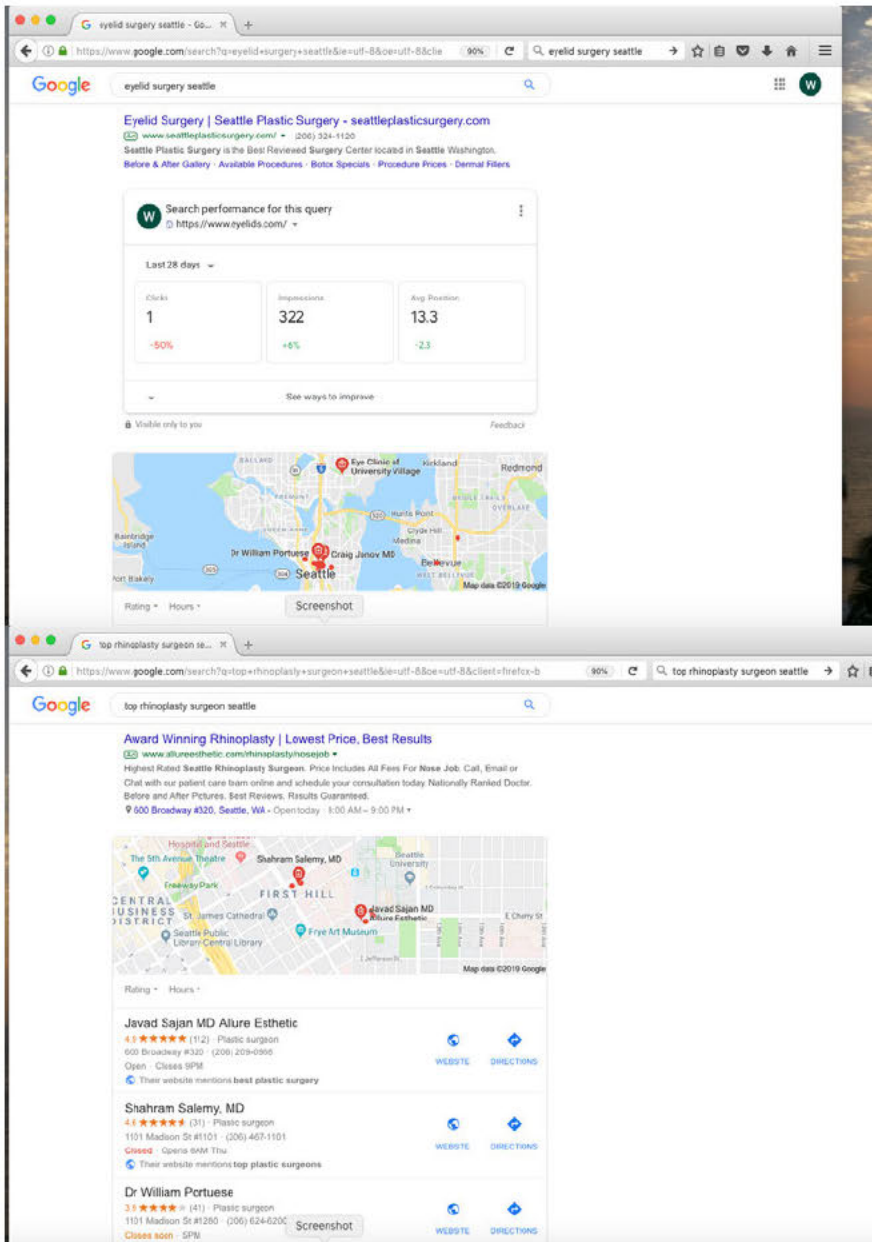
To: "Smith, Shannon E (ATG)" <shannon.smith@atg.wa.gov>

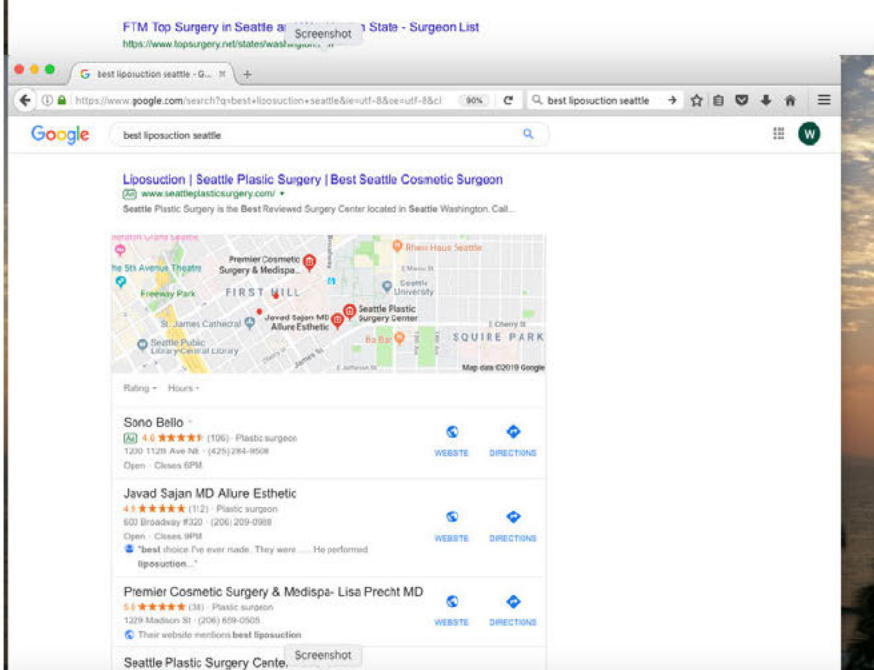
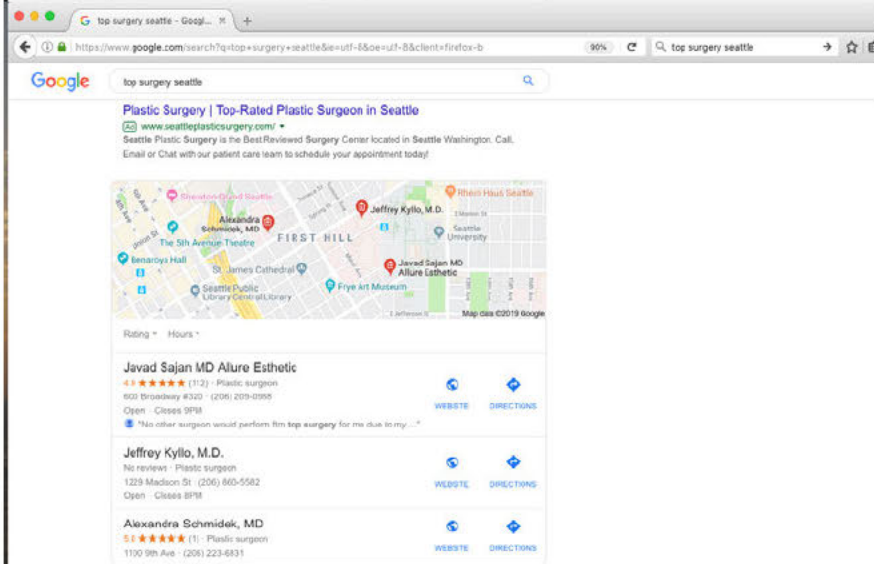
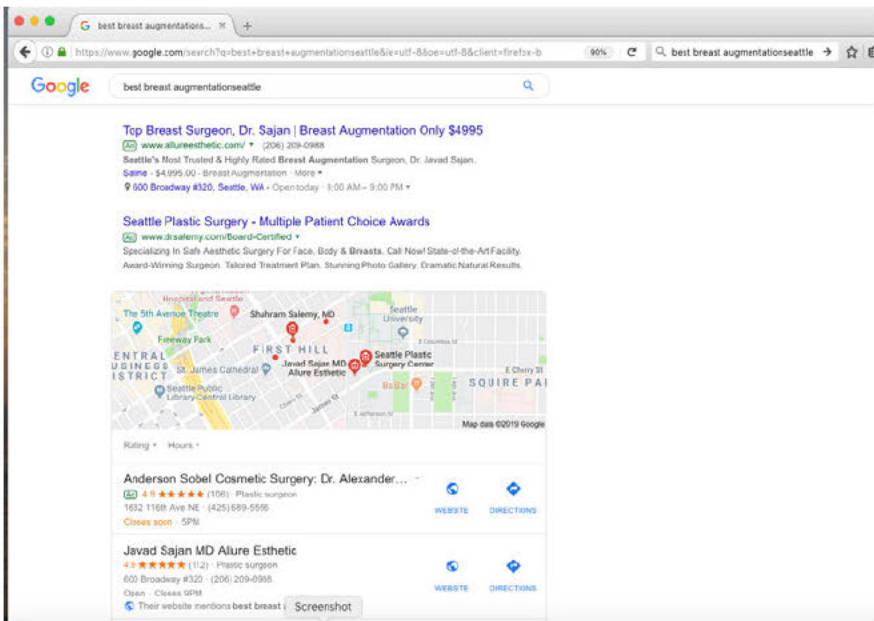
Subject: Re: Document Attached

Date: Wed, 31 Jul 2019 23:47:14 -0000

Importance: Normal

Inline-Images: Screen_Shot_2019-07-31_at_2.52.22_PM.png; Screen_Shot_2019-07-31_at_4.42.59_PM.png; Screen_Shot_2019-07-31_at_4.40.59_PM.png; Screen_Shot_2019-07-31_at_4.38.45_PM.png; Screen_Shot_2019-07-31_at_4.39.37_PM.png; Screen_Shot_2019-07-31_at_4.43.32_PM.png






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Andrew Olmstead
IN-HOUSE COUNSEL

Andrew has over a decade of legal experience counseling individuals, corporations and elected officials. As in-house counsel, he handles our daily legal needs across a wide variety of issues. Prior to joining Allure Esthetic, Andrew worked in private practice as the founder of a law firm focused on business, medical and intellectual property law since his move to Seattle in 2009.



On Wed, Jul 31, 2019 at 4:36 PM Smith, Shannon E (ATG) <shannon.smith@atg.wa.gov> wrote:

Thanks very much for the information.

Regards,

Shannon

Shannon Smith

Division Chief, Consumer Protection Division

Washington Attorney General's Office

800 5th Ave., Ste. 2000

Seattle, WA 98104-3188

(206) 389-3996

ShannonS@atg.wa.gov

From: William Portuese <Redacted@Redacted.com>

Sent: Wednesday, July 31, 2019 4:35 PM

To: Smith, Shannon E (ATG) <shannon.smith@atg.wa.gov>

Subject: Fwd: Document Attached

Shannon

Here is the N.D.A for Dr. Javad Sajan. Andrew Olmsted (mis-spelled Olmstead on his website) is the in-house counsel for him. I forgot to mention that several plastic surgeons in the community including myself have seen negative reviews appear on the social media rating sites for this doctor, and then evaporate after 2-3 days....I will send Ads which tout him as "The Best reviewed Seattle Plastic Surgeon"

Bill Portuese MD

----- Forwarded message -----

From: Maddy Derrick <Redacted@Redacted.com>

Date: Wed, Jul 31, 2019 at 4:10 PM

Subject: Document Attached

To: William Portuese <Redacted@Redacted.com>

Maddy Derrick

Front Desk Coordinator

Dr. William A. Portuese

Redacted

Please note that this email is not necessarily protected against interception by unauthorized individuals and it is not confidential or privileged. Please note that email addresses can be falsified, so that there is no guarantee that this email is from the address of the sender. Please contact The Seattle Facial Plastic Surgery Center by telephone if you would prefer to use a secure messaging service. If you are concerned that the message may be spoofed, please contact directory assistance for The Seattle Facial Plastic Surgery Center's telephone number.

From: "Daniel M. Weiskopf" <DWeiskopf@mcnaul.com>

To: "Suner, Victoria (ATG)" <victoria.suner@atg.wa.gov>

Subject: Re: Chat

Date: Tue, 28 Sep 2021 21:14:27 +0000

Importance: Normal

Inline-Images: Picture_(Device_Independent_Bitmap)_1.jpg

[EXTERNAL]

Great. 206 [Redacted] Thanks.

Sent from my iPhone

On Sep 28, 2021, at 2:12 PM, Suner, Victoria (ATG) <victoria.suner@atg.wa.gov> wrote:

Hi Dan,

Tomorrow morning at 9:00 am works great. I will call you.

Regards,

Victoria

<Picture (Device Independent Bitmap) 1.jpg>

Victoria Suner | Investigator

Washington State Attorney General's Office

800 Fifth Avenue, Suite 2000 | Seattle, WA | 98104

Phone: 206-516-2995

E-mail: Victoria.Suner@ATG.WA.GOV



From: "Suner, Victoria (ATG)" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=672FAAAD94CE4175B4756F6F88E93602-SUNER, VICT>

To: "Bill Portuese" <[Redacted]@com>

Subject: RE: Phone Call

Date: Tue, 27 Jul 2021 23:23:13 -0000

Importance: Normal

Inline-Images: image002.jpg

Great, look forward to speaking with you then.

Regards,

Victoria



Victoria Suner | Investigator

Washington State Attorney General's Office
800 Fifth Avenue, Suite 2000 | Seattle, WA | 98104
Phone: 206-516-2995

E-mail: Victoria.Suner@ATG.WA.GOV

From: Bill Portuese <[Redacted]@com>

Sent: Tuesday, July 27, 2021 3:59 PM

To: Suner, Victoria (ATG) <victoria.suner@atg.wa.gov>

Subject: Re: Phone Call

[EXTERNAL]

yes I am available. I have lots of new information which will probably take 30 minutes
bill

Sent from my iPhone

On Jul 27, 2021, at 3:49 PM, Suner, Victoria (ATG) <victoria.suner@atg.wa.gov> wrote:

Hello Dr. Portuese,

Thank you for your prompt response. Are you available for a brief chat this Friday morning say at 8:30 a.m. ? I will call you at 206-963-5153. The conversation should only take a few minutes. Simply to bring me to speed on anything that you may be aware of that is not in the current investigation notes.

Please let me know if this works.

Regards,

Victoria

<image002.jpg>

Victoria Suner | Senior Investigator

Washington State Attorney General's Office
800 Fifth Avenue, Suite 2000 | Seattle, WA | 98104

Phone: 206-516-2995

E-mail: Victoria.Suner@ATG.WA.GOV

From: Befort, Matthew J (ATG)

Sent: Tuesday, July 27, 2021 3:23 PM

To: Suner, Victoria (ATG) <victoria.suner@atg.wa.gov>

Subject: FW: Phone Call

FYI.

From: Bill Portuese <Redacted@com>

Sent: Tuesday, July 27, 2021 3:22 PM

To: Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov>

Subject: Re: Phone Call

[EXTERNAL]

Thank you. Please have her call me on my cell phone [Redacted](tel:Redacted) I am available all day this friday, or after 4pm any other day

Bill PortueseMD

On Tue, Jul 27, 2021 at 3:08 PM Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov> wrote:

Greetings Dr. Portuese,

Hope you are doing well. I am writing you with regard to the issues you previously raised with this Office, which is a topic we would like to further discuss with you.

I have cc'd Senior Investigator Victoria Suner, also with the Consumer Protection Division, who going forward, will be a primary point of contact. In the coming days, Ms. Suner will contact you directly to schedule a phone call.

Thank you much.

Kind regards,

Matt

Matt Befort | Senior Supervising Investigator

Consumer Protection Division | WA Attorney General Office

800 Fifth Ave, Ste. 2000 | Seattle, WA 98104

Office: 206-464-7288 | Cell: 206-379-3039

Email: matthewb1@atg.wa.gov

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From: Bill Portuese <Redacted.com>

To: "Suner, Victoria (ATG)" <victoria.suner@atg.wa.gov>

Subject: Re: Phone Call

Date: Tue, 27 Jul 2021 15:59:10 -0700

Importance: Normal

[EXTERNAL]

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Sent from my iPhone

On Jul 27, 2021, at 3:49 PM, Suner, Victoria (ATG) <victoria.suner@atg.wa.gov> wrote:

Hello Dr. Portuese,

Thank you for your prompt response. Are you available for a brief chat this Friday morning say at 8:30 a.m. ? I will call you at 206-Redacted. The conversation should only take a few minutes. Simply to bring me to speed on anything that you may be aware of that is not in the current investigation notes.

Please let me know if this works.

Regards,

Victoria

<image002.jpg>

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Washington State Attorney General's Office

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To: "Redacted" <Redacted.com>

Subject: FW: Phone Call

Date: Tue, 27 Jul 2021 22:49:06 -0000

Importance: Normal

Inline-Images: image002.jpg

Hello Dr. Portuese,

Thank you for your prompt response. Are you available for a brief chat this Friday morning say at 8:30 a.m. ? I will call you at 206-Redacted. The conversation should only take a few minutes. Simply to bring me to speed on anything that you may be aware of that is not in the current investigation notes.

Please let me know if this works.

Regards,

Victoria



Victoria Suner | Senior Investigator

Washington State Attorney General's Office

800 Fifth Avenue, Suite 2000 | Seattle, WA | 98104

Phone: 206-516-2995

E-mail: Victoria.Suner@ATG.WA.GOV

From: Befort, Matthew J (ATG)

Sent: Tuesday, July 27, 2021 3:23 PM

To: Suner, Victoria (ATG) <victoria.suner@atg.wa.gov>

Subject: FW: Phone Call

FYI.

From: Bill Portuese <Redacted.com>

Sent: Tuesday, July 27, 2021 3:22 PM

To: Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov>

Subject: Re: Phone Call

[EXTERNAL]

Thank you. Please have her call me on my cell phone at Redacted. I am available all day this Friday, or after 4pm any other day.

Bill PortueseMD

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From: Bill Portuese <Redacted@com>

To: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>

Subject: Re: Phone Call

Date: Tue, 27 Jul 2021 15:21:58 -0700

Importance: Normal

[EXTERNAL]

Thank you. Please have her call me on my cell phone at Redacted I am available all day this friday, or after 4pm any other day

Bill PortueseMD

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To: "William Portuese" <[Redacted]@com>

Cc: "Suner, Victoria (ATG)" <victoria.suner@atg.wa.gov>

Subject: Phone Call

Date: Tue, 27 Jul 2021 22:08:00 -0000

Importance: Normal

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From: William Portuese <Redacted.com>

To: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>

Subject: Re: Drs. Sajan and Jonov

Date: Wed, 26 Aug 2020 11:07:28 -0700

Importance: Normal

Matthew,

Dr. Bill Portuese here. Are you available in the next week for a 20 min conference call regarding new information I have regarding Dr. Sajan?

Bill

On Thu, Jul 9, 2020 at 4:44 PM Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov> wrote:

Hi Bill,

I had some changes to my schedule tomorrow. Can I get back to you next week on a possible date we can have a call?

Matt

From: William Portuese <Redacted.com>

Sent: Wednesday, July 08, 2020 9:49 AM

To: Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov>

Subject: Fwd: Drs. Sajan and Jonov

Matt

Here is additional information on a current complaint against the oral surgeon Dr. Jonov who is an employee of Dr. Sajan. He clipped the Facial nerve during a facelift and left her with permanent facial paralysis.

I am available this Friday at 2pm, and would like to have my attorney on the call with us. His name is Dan Weiskopf, from McNaul Ebel law firm. Please confirm your availability

Bill Portuese MD

----- Forwarded message -----

From: **William Portuese** <Redacted.com>

Date: Wed, Jul 8, 2020 at 7:47 AM

Subject: Drs. Sajan and Jonov

To: bill portuese <Redacted.com>

From: William Portuese <Redacted.com>

To: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>

Subject: Dr Sajan

Date: Fri, 14 Aug 2020 11:24:00 -0700

Importance: Normal

Matt,

I have more information to share with you. Do you have time for a call next week?

Bill Portuese MD

From: William Portuese <[Redacted]@com>

To: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>

Subject: Re: Drs. Sajan and Jonov

Date: Mon, 27 Jul 2020 16:33:18 -0700

Importance: Normal

Matt,

Do you have time for a conference call this week regarding Dr Sajan?

Bill Portuese MD

On Thu, Jul 9, 2020 at 6:16 PM William Portuese <[Redacted]@com> wrote:

Matt,

Sure, just let me know what works on your schedule. I can be available most of next week later in the afternoons.

Bill

On Thu, Jul 9, 2020 at 4:44 PM Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov> wrote:

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Sent: Wednesday, July 08, 2020 9:49 AM

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Bill Portuese MD

----- Forwarded message -----

From: **William Portuese** <[Redacted]@com>

Date: Wed, Jul 8, 2020 at 7:47 AM

Subject: Drs. Sajan and Jonov

To: bill portuese <[Redacted]@com>

From: William Portuese <Redacted.com>

To: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>

Subject: Re: Drs. Sajan and Jonov

Date: Thu, 9 Jul 2020 18:16:41 -0700

Importance: Normal

Matt,
Sure, just let me know what works on your schedule. I can be available most of next week later in the afternoons.
Bill

On Thu, Jul 9, 2020 at 4:44 PM Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov> wrote:

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Subject: Fwd: Drs. Sajan and Jonov

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Bill Portuese MD

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Date: Wed, Jul 8, 2020 at 7:47 AM

Subject: Drs. Sajan and Jonov

To: bill portuese <Redacted.com>

From: "Befort, Matthew J (ATG)" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E820DA65AA9C42FA8076139AE7863E27-BEFORT, MAT>

To: "William Portuese" <Redacted.com>

Subject: RE: Drs. Sajan and Jonov

Date: Thu, 09 Jul 2020 23:43:58 -0000

Importance: Normal

Hi Bill,

I had some changes to my schedule tomorrow. Can I get back to you next week on a possible date we can have a call?

Matt

From: William Portuese <Redacted.com>

Sent: Wednesday, July 08, 2020 9:49 AM

To: Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov>

Subject: Fwd: Drs. Sajan and Jonov

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Bill Portuese MD

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To: "'William Portuese'" <Redacted.com>

Subject: RE: Dr. Java Sajan

Date: Wed, 08 Jul 2020 00:42:27 -0000

Importance: Normal

Hi Bill,

I am available this Thursday afternoon between 2-4pm. Would that time work for you? If not, I'm available anytime Friday.

Matt

From: William Portuese <Redacted.com>

Sent: Tuesday, July 07, 2020 3:55 PM

To: Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov>

Subject: Dr. Javad Sajan

Mat,

Do you have a few minutes this week for a follow-up call regarding this matter. I have some new items to discuss
Bill Portuese MD

From: William Portuese <Redacted.com>

To: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>

Subject: Dr. Javad Sajan

Date: Tue, 7 Jul 2020 15:55:05 -0700

Importance: Normal

Mat,
Do you have a few minutes this week for a follow-up call regarding this matter. I have some few new items to discuss
Bill Portuese MD

From: William Portuese <Redacted.com>

To: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>

Subject: Fwd: Dr Javad Sajan

Date: Fri, 12 Jun 2020 15:36:00 -0700

Importance: Normal

Attachments: Ltr_re_Sajan_Astroturfing_(3-2-20)_final.docx; @realdrsajan.pdf

Matt,
Here is the second letter
Bill

----- Forwarded message -----

From: **William Portuese** <Redacted.com>

Date: Thu, Mar 5, 2020 at 3:30 PM

Subject: Dr Javad Sajan

To: Smith, Shannon E (ATG) <shannon.smith@atg.wa.gov>

Second letter
Bill Portuese

Shannon Smith
Assistant Attorney General
Washington State Office of the Attorney General
Consumer Protection Division
800 5th Ave, Suite 2000
Seattle, WA 98104-3188

Re: Javad A. Sajan, M.D., Allure Esthetic Plastic Surgery – *Deceptive and misleading advertising in violation of FTC “Guides Concerning the Use of Endorsements and Testimonials in Advertising” 16 C.F.R. §255*

Dear Assistant Attorney General Smith:

My name is Dr. William Portuese. I write to you again concerning the deceptive and misleading advertising tactics of Dr. Javad A. Sajan. I recently discovered that Dr. Sajan has violated the Federal Trade Commission’s “*Guides Concerning the Use of Endorsements and Testimonials in Advertising*” by falsifying his alleged “followers” on Instagram.

As previously mentioned, I am a Board-certified Facial Plastic Surgeon and have maintained a facial plastic / reconstructive surgery practice in Seattle for over 28 years. Dr. Sajan’s recent establishment of a practice in Seattle is tainted by aggressive social media campaigns that deliberately mislead the public. As a result, Dr. Sajan creates great risk of public harm, and tarnishes the ethics of the practice of medicine.

Dr. Sajan maintains an Instagram account featuring what purport to be photographs of his patients. As I pointed out to you in an earlier communication, these photographs are themselves deceptive and misleading. Buried in his Instagram feed, Dr. Sajan hides this disclaimer:

“Photographs may have been modified and edited, including but not limited to changing tattoos, scars, body or body part size, implant position, implant size, nipple position, nipple size and other body morphology.”

See Instagram #realdrseattle.

Therefore, the photographs themselves are false and deceptive. In addition, I recently discovered that Dr. Sajan has compounded this deception by falsely promoting his Instagram account through an illegal process known as “astroturfing.”

“Astroturfing is the practice of masking the sponsors of a message or organization (e.g., political, advertising, religious or public relations) to make it appear as though it originates from and is supported by grassroots participants. It is a practice intended to give the statements or organizations credibility by withholding information about the source's financial connection.”

<https://en.wikipedia.org/wiki/Astroturfing>

Astroturfing is prohibited at least by the Federal Trade Commission’s “*Guides Concerning the Use of Endorsements and Testimonials in Advertising*” 16 C.F.R. §255.2(c) which states in pertinent part:

(c) Advertisements presenting endorsements by what are represented, directly or by implication, to be “actual consumers” should utilize actual consumers in both the audio and video, or clearly and conspicuously disclose that the persons in such advertisements are not actual consumers of the advertised product.

The FTC takes action against those who trade in “fake indicators of social media influence,” taking the position that “[p]osting deceptive or inaccurate information online pollutes the e-commerce marketplace and prevents consumers from making informed purchasing decisions.” See: <https://www.ftc.gov/news-events/press-releases/2019/10/devumi-owner-ceo-settle-ftc-charges-they-sold-fake-indicators>

I have obtained conclusive evidence that Dr. Sajan “astroturfed” his already deceptive Instagram feed to falsely suggest that he has a large number of “followers.” As you can see from the attached CrowdTangle Intelligence Report, in January 2019, Dr. Sajan purchased 50,000 fake followers on his Instagram profile. This was clearly done with the sole purpose of deceiving the public about how large a following he really has on his Instagram profile. As you can see from the CrowdTangle report, his account dramatically gained 50,000 followers, and skyrocketed from 10,000 to 60,000 followers, in one single day. This is simply not possible unless Dr. Sajan paid for fake followers.

As stated by Andrew Smith, Director of the FTC’s Bureau of Consumer Protection, “[d]ishonesty in the online marketplace harms shoppers, as well as firms that play fair and square....” “Posting fake reviews on shopping websites or buying and selling fake followers is illegal. It undermines the marketplace, and the FTC will not tolerate it.” *Id.*

The FTC does not tolerate Dr. Sajan’s behavior, which betrays the ethical standards of the medical profession. The State of Washington should not tolerate Dr. Sajan’s behavior and should sanction his conduct.

Thank you for your consideration,

William Portuese M.D.

From: William Portuese <[Redacted]@[Redacted].com>

To: "Befort, Matthew J (ATG)" <matthew.befort[atg.wa.gov]>

Subject: Fwd: Dr Javad Sajan

Date: Fri, 12 Jun 2020 15:34:50 -0700

Importance: Normal

Attachments: Ltr_re_Sajan_(3-2-20)_final.docx; Sajan_Disclaimer_Language_-_3_Websites.pdf; Sajan_NDA.pdf

Inline-Images: seattlefacial.com.png; WP.png

Matt,

Here is one of the letters. Most disturbing to the local plastic surgery community is the fact that he alters his before and after photographs to make them look better to the consumer. This is clearly deceptive. He is altering the medical record, even though he has a disclaimer. When consumers are choosing a plastic surgeon, the most important item they look at is the surgeon's photo gallery.

Bill Portuese

----- Forwarded message -----

From: William Portuese <[Redacted]@[Redacted].com>

Date: Thu, Mar 5, 2020 at 3:28 PM

Subject: Dr Javad Sajan

To: Smith, Shannon E (ATG) <shannon.smith[atg.wa.gov]>

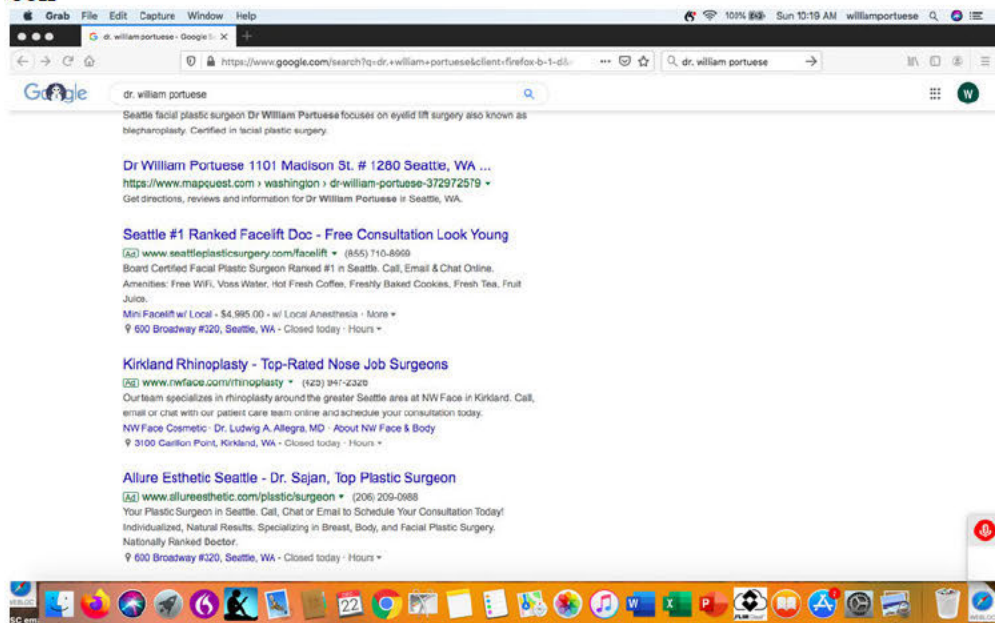
Shannon,

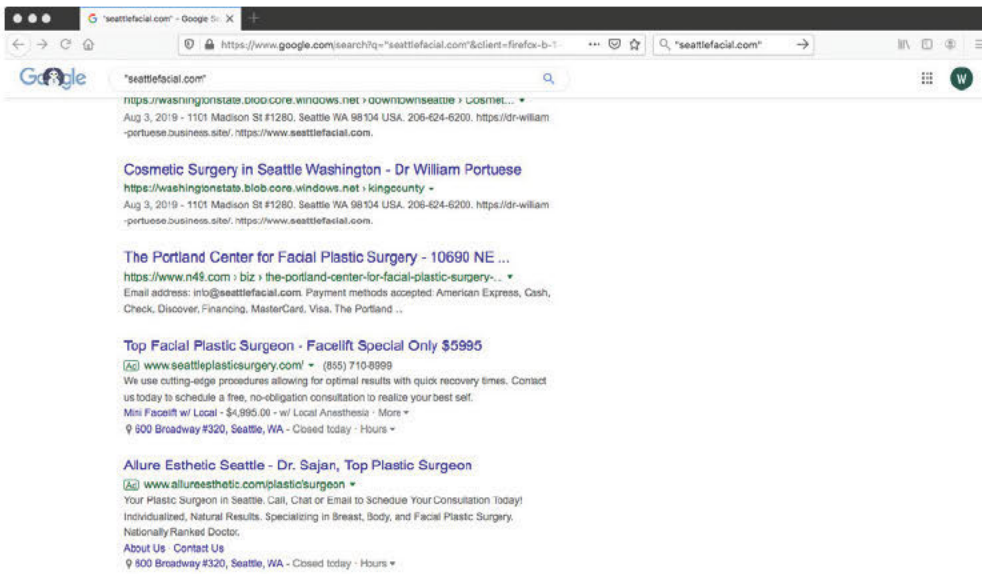
I am sending you two letters regarding Dr Sajan. Please read and we can discuss when you have time.

Bill Portuese MD

office [Redacted]

cell





Redacted

Shannon Smith
Assistant Attorney General
Washington State Office of the Attorney General
Consumer Protection Division
800 5th Ave, Suite 2000
Seattle, WA 98104-3188

Re: Javad A. Sajan, M.D., Allure Esthetic Plastic Surgery – *Deceptive and misleading advertising poses a risk to the public*

Dear Assistant Attorney General Smith:

My name is Dr. William Portuese, and I have maintained a facial plastic / reconstructive surgery practice in Seattle for over 28 years. I am writing to alert you to the deceptive and misleading advertising tactics of Dr. Javad A. Sajan. By misrepresenting his training, misrepresenting his certifications, and using aggressive social media campaigns to mislead the public, Dr. Sajan creates great risk of public harm, and diminishes the practice of medicine.

Through hard work, I achieved Board Certification by the American Board of Facial Plastic and Reconstructive Surgery and by the American Board of Otolaryngology, Head & Neck Surgery. I am the President of the Washington State Chapter of Facial Plastic Surgeons and served twice as the President of The Washington Ambulatory Surgery Center Association. I hold dual appointments as a Clinical Instructor in the Department of Otolaryngology, Head & Neck Surgery and in The Plastic Surgery Department at the University of Washington. I have authored numerous publications / presentations in the field.

It is with deep disappointment that I have observed the actions of Dr. Sajan, who recently established a “plastic surgery” practice in Seattle and Lynnwood. First of all, Dr. Sajan is not a plastic surgeon. Rather, he is an Ear Nose & Throat (ENT) physician who apparently completed a cosmetic surgery fellowship in Southcenter, Washington that is not recognized by the American Board of Medical Specialties. He is not Board certified in plastic surgery. Attached please find a screenshot of an online advertisement sponsored by Dr. Sajan, where he falsely describes himself as a “Top Facial Plastic Surgeon – Facelift Special Only \$5995.”

Perhaps because of his lack of qualifications, Dr. Sajan has engaged in unusually aggressive social media campaigns. Among other things, he has purchased Google AdWords that trigger advertisements, like the one attached, when a potential patient searches for the name of any of several reputable Seattle plastic surgeons. I will use myself as an example.

Dr. Sajan has purchased AdWords triggering online advertisements for web search terms including the following:

- “Dr. William Portuese”
- “Dr. Portuese”
- “Dr. Bill Portuese”
- “www.seattlefacial.com” (this is the domain for my practice web page)
- “The Seattle Facial Plastic Surgery Center” (this is the name of my practice)

When a prospective patient clicks an advertising link and lands on a website controlled by Dr. Sajan, they are immediately presented with dangerously false information, such as Dr. Sajan falsely describing himself as a “plastic surgeon.”

Dr. Sajan has branched out into medical marketing for other physicians inside and outside of his practice. This includes marketing for Dr. Craig Jonov (an oral surgeon who provides “total facial and body plastic surgery”), Dr. Ludwig Allegra, and Dr. David Santos. Dr. Sajan makes separate AdWord buys for various domains owned or managed by him. This allows Dr. Sajan to amplify his deceptive advertising practices to an even greater degree.

One of the physicians Dr. Sajan promotes, Dr. Santos, himself has a history of false, deceptive and misleading advertising. In 2014 I discovered that Dr. Santos had misappropriated six before-and-after photographs of my facelift patients appearing on my website, and placed those on his own website claiming they were his patients and his surgical work. With the aid of an intellectual property attorney, I succeeded in having those images removed from Dr. Santos’ website on grounds of copyright infringement, false advertising, and deceptive business practices.

In about 2012, Dr. Santos became Medical Director of The Lifestyle Lift Corporation. During his tenure at Lifestyle Lift, the company was investigated by the New York Attorney General’s office for false advertising and deceptive marketing practices, including “Astro-turfing,” which is the practice of paying for false social media “likes” and false positive reviews. The New York Attorney General’s office ultimately sanctioned Lifestyle Lift with fines and corrective actions. Lifestyle Lift has since filed for bankruptcy.

Dr. Sajan also coerces his own patients to encourage deceptive advertising and stifle any concerns they have about his work. I recently was presented with a copy of a non-disclosure agreement (NDA) that I understand Dr. Sajan asks his prospective patients to sign. A copy of that NDA, with the patient’s name redacted, is attached. As you can see in the document, Dr. Sajan secures his patients’ agreement to refrain from making negative comments on “all forms of media including online review sites,” which would include the online review site, Yelp.

Dr. Sajan’s NDA is wildly inappropriate and directly violates Yelp’s Terms of Service, which provide as follows:

Additional Terms for Business Accounts

1.A.ix. [Y]ou understand and acknowledge that non-disparagement clauses in certain consumer contracts, such as clauses that seek to restrict or prohibit reviews (including provisions that penalize consumers for posting reviews) about your Business, are prohibited under California law (Cal. Civil Code § 1670.8) and under the federal Consumer Review Fairness Act (15 U.S. Code § 45b) and you agree that you will not include such clauses in your consumer contracts, or otherwise attempt to enforce non-disparagement or ‘gag’ clauses against consumers under any circumstances. You understand that we may publicly notify consumers, including by placing a Consumer Alert on the business page for your Business, if we have a good faith belief that such clauses are used by your Business.

See https://terms.yelp.com/tos/en_us/20200101_en_us/

Even if Yelp permitted Dr. Sajan's behavior, I would question the medical ethics of a physician who restrained the public from making negative online comments.

Finally, Dr. Sajan posts thousands of photos on his websites purporting to be of happy post-operative patients. It is deeply concerning to me as a professional that these photos are in themselves false and misleading. Buried on his websites, Dr. Sajan places this disclaimer in fine print:

DISCLAIMER – Results may not be typical. Photographs may have been modified and edited, including but not limited to changing tattoos, scars, body (or body part) size, implant position, implant size, nipple position, nipple size and other body morphology.

Photographs have been modified from their original version.

Three examples are attached.

If these aren't real photographs, what purpose do they serve? It is fair to presume that Dr. Sajan hopes the public won't notice his extraordinary disclaimer and will falsely conclude that these photographs somehow show the truth.

To conclude, I am writing because I believe Dr. Sajan is a threat to the public, and he dishonors our profession. I am in contact with numerous other ethical physicians in Seattle who are alarmed by Dr. Sajan's practices and tactics. I am speaking for myself, today, but I would be happy to place you in contact with others who feel the same way as I do.

Thank you for your consideration.

William Portuese, MD

From: William Portuese <Redacted.com>

To: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>

Subject: Re: Follow-Up

Date: Thu, 11 Jun 2020 15:27:03 -0700

Importance: Normal

Yes indeed, that would work just fine
Bill

Sent from my iPhone

On Jun 11, 2020, at 2:54 PM, Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov> wrote:

Good afternoon,
Would 2pm tomorrow work then? I'll call you on your cell.
Thank you.
Matt

From: William Portuese <Redacted.com>

Sent: Thursday, June 11, 2020 12:05 PM

To: Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov>

Subject: Re: Follow-Up

Matt, I'm wide-open tomorrow as well, since I take Fridays off.
The attachment that I sent to you shows that Dr. Sajan has sued nine patients for posting a negative review about him on social media sites. In addition, he's also sued four of his own employees making \$20 an hour, for back wages when they quit without proper notice.
Bill

Sent from my iPhone

On Jun 11, 2020, at 11:07 AM, Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov> wrote:

Good morning,
Thank you for these materials. I have a couple things in the calendar starting around noon and running through the afternoon. Could we set a time tomorrow to speak? This also will allow for me to review these materials you provided. My calendar is wide open tomorrow.
Thank you.
Matt

From: William Portuese <Redacted.com>

Sent: Thursday, June 11, 2020 10:54 AM

To: Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov>

Subject: Re: Follow-Up

Matt

Here is more info about Dr Sajan that I would like you to review prior to our discussion. In addition, I sent those 2 identical letters that I sent to you to the WA state DOH, Medical Commision. They failed to

investigate him, and subsequently Dr Sajan filed a defamation lawsuit against myself and my wife. I will call you in about an hour or so

Bill Portuese MD

On Wed, Jun 10, 2020 at 5:11 PM William Portuese <Redacted.com> wrote:

Matt

I do have some time to tomorrow and I'll try to call you Mid morning.

Bill portuese

Sent from my iPhone

On Jun 10, 2020, at 4:29 PM, Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov> wrote:

Good afternoon Dr. Portuese,

I understand you may have some additional information you would like to share with us. Would you be available sometime tomorrow or Friday for a phone call? Happy to work around your schedule.

Thank you.

Matt

Matt Befort | Senior Supervising Investigator
Consumer Protection Division | WA Attorney General Office
800 Fifth Ave, Ste. 2000 | Seattle, WA 98104

206-464-7288 | matthewb1@atg.wa.gov

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From: "Befort, Matthew J (ATG)" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E820DA65AA9C42FA8076139AE7863E27-BEFORT, MAT>

To: "'William Portuese'" <Redacted.com>

Subject: RE: Follow-Up

Date: Thu, 11 Jun 2020 21:54:00 -0000

Importance: Normal

Good afternoon,
Would 2pm tomorrow work then? I'll call you on your cell.
Thank you.
Matt

From: William Portuese <Redacted.com>

Sent: Thursday, June 11, 2020 12:05 PM

To: Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov>

Subject: Re: Follow-Up

Matt, I'm wide-open tomorrow as well, since I take Fridays off.
The attachment that I sent to you shows that Dr. Sajan has sued nine patients for posting a negative review about him on social media sites. In addition, he's also sued four of his own employees making \$20 an hour, for back wages when they quit without proper notice.
Bill

Sent from my iPhone

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Thank you.
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From: William Portuese <Redacted.com>

Sent: Thursday, June 11, 2020 10:54 AM

To: Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov>

Subject: Re: Follow-Up

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Matt Befort | Senior Supervising Investigator
Consumer Protection Division | WA Attorney General Office
800 Fifth Ave, Ste. 2000 | Seattle, WA 98104

206-464-7288 | matthewb1@atg.wa.gov

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From: William Portuese <Redacted.com>

To: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>

Subject: Re: Follow-Up

Date: Thu, 11 Jun 2020 12:04:40 -0700

Importance: Normal

Matt, I'm wide-open tomorrow as well, since I take Fridays off.

The attachment that I sent to you shows that Dr. Sajan has sued nine patients for posting a negative review about him on social media sites. In addition, he's also sued four of his own employees making \$20 an hour, for back wages when they quit without proper notice.

Bill

Sent from my iPhone

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Thank you.

Matt

From: William Portuese <Redacted.com>

Sent: Thursday, June 11, 2020 10:54 AM

To: Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov>

Subject: Re: Follow-Up

Matt

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Bill Portuese MD

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I do have some time to tomorrow and I'll try to call you Mid morning.

Bill portuese

Sent from my iPhone

On Jun 10, 2020, at 4:29 PM, Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov> wrote:

Good afternoon Dr. Portuese,

I understand you may have some additional information you would like to share with us. Would you be available sometime tomorrow or Friday for a phone call? Happy to work around your schedule.

Thank you.

Matt

Matt Befort | Senior Supervising Investigator
Consumer Protection Division | WA Attorney General Office
800 Fifth Ave, Ste. 2000 | Seattle, WA 98104

206-464-7288 | matthewb1@atg.wa.gov

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From: "Befort, Matthew J (ATG)" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E820DA65AA9C42FA8076139AE7863E27-BEFORT, MAT>

To: "William Portuese" <Redacted.com>

Subject: RE: Follow-Up

Date: Thu, 11 Jun 2020 18:07:01 -0000

Importance: Normal

Good morning,

Thank you for these materials. I have a couple things in the calendar starting around noon and running through the afternoon. Could we set a time tomorrow to speak? This also will allow for me to review these materials you provided. My calendar is wide open tomorrow.

Thank you.

Matt

From: William Portuese <Redacted.com>

Sent: Thursday, June 11, 2020 10:54 AM

To: Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov>

Subject: Re: Follow-Up

Matt

Here is more info about Dr Sajan that I would like you to review prior to our discussion. In addition, I sent those 2 identical letters that I sent to you to the WA state DOH, Medical Commision. They failed to investigate him, and subsequently Dr Sajan filed a defamation lawsuit against myself and my wife. I will call you in about an hour or so

Bill Portuese MD

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Bill portuese

Sent from my iPhone

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Matt

Matt Befort | Senior Supervising Investigator

Consumer Protection Division | WA Attorney General Office

800 Fifth Ave, Ste. 2000 | Seattle, WA 98104

206-464-7288 | matthewb1@atg.wa.gov

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From: William Portuese <Redacted.com>

To: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>

Subject: Re: Follow-Up

Date: Thu, 11 Jun 2020 10:54:17 -0700

Importance: Normal

Attachments: Table_of_Sajan_Cases.pdf

Matt

Here is more info about Dr Sajan that I would like you to review prior to our discussion. In addition, I sent those 2 identical letters that I sent to you to the WA state DOH, Medical Commision. They failed to investigate him, and subsequently Dr Sajan filed a defamation lawsuit against myself and my wife. I will call you in about an hour or so

Bill Portuese MD

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Bill portuese

Sent from my iPhone

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Thank you.

Matt

Matt Befort | Senior Supervising Investigator

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From: William Portuese <Redacted.com>

To: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>

Subject: Re: Follow-Up

Date: Wed, 10 Jun 2020 17:11:47 -0700

Importance: Normal

Matt

I do have some time to tomorrow and I'll try to call you Mid morning.

Bill portuese

Sent from my iPhone

On Jun 10, 2020, at 4:29 PM, Befort, Matthew J (ATG) <matthew.befort@atg.wa.gov> wrote:

Good afternoon Dr. Portuese,

I understand you may have some additional information you would like to share with us. Would you be available sometime tomorrow or Friday for a phone call? Happy to work around your schedule.

Thank you.

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To: "Redacted [REDACTED] com" <Redacted [REDACTED] com>

Subject: Follow-Up

Date: Wed, 10 Jun 2020 23:29:44 -0000

Importance: Normal

Good afternoon Dr. Portuese,

I understand you may have some additional information you would like to share with us. Would you be available sometime tomorrow or Friday for a phone call? Happy to work around your schedule.

Thank you.

Matt

Matt Befort | Senior Supervising Investigator
Consumer Protection Division | WA Attorney General Office
800 Fifth Ave, Ste. 2000 | Seattle, WA 98104

206-464-7288 | matthewb1@atg.wa.gov

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From: William Portuese <Redacted.com>

To: "Smith, Shannon E (ATG)" <shannon.smith@atg.wa.gov>

Subject: Re: RE: Fwd:

Date: Mon, 4 Nov 2019 16:24:58 -0800

Importance: Normal

Thank you so much for your reply. I was trying to point out the pattern of behavior from this individual physician
Bill portuese

Sent from my iPhone

On Nov 4, 2019, at 3:50 PM, Smith, Shannon E (ATG) <shannon.smith@atg.wa.gov> wrote:

Hello Dr. Portuese,

I've reviewed the letter you received from Dr. Sajan's counsel. As an Assistant Attorney General, I cannot provide you with individual legal advice or represent you in any way. If you believe you need legal advice, I recommend you contact your private counsel.

Although I cannot provide you with legal advice, I can offer you some general information that you may find useful in considering your next steps. As you know, the Medical Commission accepts complaints from anyone with knowledge of unprofessional conduct, and will accept anonymous complaints. Washington law provides some protection for those who file good faith complaints with the Department of Health. RCW 43.70.075. While it has been many years since I was involved in matters before the state health care regulatory boards, I do not recall any law that would define the good faith submission of a complaint to a health care board as unprofessional conduct, regardless of whether the board ultimately investigates or dismisses the complaint. I'm not able to analyze or opine on the merits of your complaints to the Medical Commission, or how the whistleblower protections would apply in your situation, but your private attorney may be able to consider your situation with these facts in mind.

I hope this information is helpful to you.

Sincerely,

Shannon Smith

Shannon Smith

Division Chief, Consumer Protection Division

Washington Attorney General's Office

800 5th Ave., Ste. 2000

Seattle, WA 98104-3188

(206) 389-3996

ShannonS@atg.wa.gov

From: William Portuese <Redacted.com>

Sent: Monday, November 04, 2019 2:22 PM

To: Smith, Shannon E (ATG) <shannon.smith@atg.wa.gov>

Subject: Fwd:

Shannon,

Please see the letter below I received from Dr Sajan's attorney. I have filed several anonymous complaints with the Medical Commission against Dr. Sajan, all of which were factually based significant deviations from the standard of care. Not only is he making patients sign a non-disclosure agreement, he is attempting to silence me as well. Any thoughts?

Bill Portuese MD

----- Forwarded message -----

From: **William Portuese** <Redacted.com>

Date: Mon, Nov 4, 2019 at 2:13 PM

Subject:

To: Email <Redacted.com>

Sent from my iPhone

From: "Smith, Shannon E (ATG)" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=76B48DB8A1A84848B0F6659A370F2F18-SMITH, SHAN>

To: "William Portuese" <Redacted.com>

Subject: RE: Fwd:

Date: Mon, 04 Nov 2019 23:50:08 -0000

Importance: Normal

Hello Dr. Portuese,

I've reviewed the letter you received from Dr. Sajan's counsel. As an Assistant Attorney General, I cannot provide you with individual legal advice or represent you in any way. If you believe you need legal advice, I recommend you contact your private counsel.

Although I cannot provide you with legal advice, I can offer you some general information that you may find useful in considering your next steps. As you know, the Medical Commission accepts complaints from anyone with knowledge of unprofessional conduct, and will accept anonymous complaints. Washington law provides some protection for those who file good faith complaints with the Department of Health. RCW 43.70.075. While it has been many years since I was involved in matters before the state health care regulatory boards, I do not recall any law that would define the good faith submission of a complaint to a health care board as unprofessional conduct, regardless of whether the board ultimately investigates or dismisses the complaint. I'm not able to analyze or opine on the merits of your complaints to the Medical Commission, or how the whistleblower protections would apply in your situation, but your private attorney may be able to consider your situation with these facts in mind.

I hope this information is helpful to you.

Sincerely,

Shannon Smith

Shannon Smith

Division Chief, Consumer Protection Division

Washington Attorney General's Office

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Seattle, WA 98104-3188

(206) 389-3996

ShannonS@atg.wa.gov

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To: Smith, Shannon E (ATG) <shannon.smith@atg.wa.gov>

Subject: Fwd:

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Bill Portuese MD

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From: **William Portuese** <Redacted.com>

Date: Mon, Nov 4, 2019 at 2:13 PM

Subject:

To: Email <Redacted.com>

Sent from my iPhone

From: William Portuese <Redacted.com>

To: "Smith, Shannon E (ATG)" <shannon.smith@atg.wa.gov>

Subject: Fwd:

Date: Mon, 4 Nov 2019 14:22:20 -0800

Importance: Normal

Attachments: IMG_8417.JPG; IMG_8419.JPG

Shannon,

Please see the letter below I received from Dr Sajan's attorney. I have filed several anonymous complaints with the Medical Commission against Dr. Sajan, all of which were factually based significant deviations from the standard of care. Not only is he making patients sign a non-disclosure agreement, he is attempting to silence me as well. Any thoughts?

Bill Portuese MD

----- Forwarded message -----

From: **William Portuese** <Redacted.com>

Date: Mon, Nov 4, 2019 at 2:13 PM

Subject:

To: Email <Redacted.com>

Sent from my iPhone

From: "William Portuese" <Redacted.com>

To: "Smith, Shannon E (ATG)" <shannon.smith@atg.wa.gov>

Subject: Re: Thank you for the voicemail and email messages

Date: Thu, 15 Aug 2019 20:08:12 -0000

Importance: Normal

Dr Sharam Salemy is the local plastic surgeon who told me about it. He asked all of his staff yesterday if they could remember who the patient was that relayed the story, but none of his staff could remember who it was. It happened sometime in the last 6-8 months. Dr Sajan has had numerous complaints filed against his license with the DOH/ The Medical Commission, so you could always check with them too
Bill Portuese

On Wed, Aug 14, 2019 at 8:40 AM Smith, Shannon E (ATG) <shannon.smith@atg.wa.gov> wrote:

Thank you, Dr. Portuese. Would you know the name of the surgeon who told you that story? I'd be interested in reaching out to the patients who viewed the surgery of their family member via Snapchat.

Regards,

Shannon

From: William Portuese <Redacted.com>

Sent: Wednesday, August 14, 2019 7:18 AM

To: Smith, Shannon E (ATG) <shannon.smith@atg.wa.gov>

Subject: Re: Thank you for the voicemail and email messages

Shannon,

Thank you for the update, and please feel free to reach out if you need more information. I did hear a rather disconcerting story from another plastic surgeon based here in Seattle about Dr. Sajan. A few months ago, one of Dr. Sajan's patients checked in for surgery at his office with their family members. The patient was undergoing surgery in the operating room under general anesthesia. The patient's family members were in the waiting room. The family members noticed a suggestion in the waiting room to follow Dr.Sajan on a social media site called Snapchat. When they logged on to Snapchat and opened up Dr.Sajan's account, they were aghast, since they were now watching live surgery on their own family member being performed in the operating room!

Bill Portuese MD

On Tue, Aug 13, 2019 at 4:54 PM Smith, Shannon E (ATG) <shannon.smith@atg.wa.gov> wrote:

Hello Dr. Portuese,

I have been primarily out of the office for several days and missed your call from last week. I received the helpful information you sent me by email. I've asked a few people in the Consumer Protection to review what you sent and if we have additional questions, one of us will reach out to you.

Thanks and best regards,

Shannon

Shannon Smith, Senior Assistant Attorney General

Division Chief, Consumer Protection Division

Washington Attorney General's Office

800 5th Ave., Ste. 2000

Seattle, WA 98104-3188

(206) 389-3996

ShannonS@atg.wa.gov

From: "Smith, Shannon E (ATG)"
</O=WA.GOV/OU=ATG_OLY1/CN=RECIPIENTS/CN=SHANNONS>
To: "'William Portuese'" <Redacted.com>
Bcc: "Befort, Matthew J (ATG)" <matthew.befort@atg.wa.gov>
Subject: RE: Thank you for the voicemail and email messages
Date: Wed, 14 Aug 2019 15:40:53 -0000
Importance: Normal

Thank you, Dr. Portuese. Would you know the name of the surgeon who told you that story? I'd be interested in reaching out to the patients who viewed the surgery of their family member via Snapchat.

Regards,
Shannon

From: William Portuese
Sent: Wednesday, August 14, 2019 7:18 AM
To: Smith, Shannon E (ATG)
Subject: Re: Thank you for the voicemail and email messages

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Bill Portuese MD

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Shannon Smith, Senior Assistant Attorney General

Division Chief, Consumer Protection Division

Washington Attorney General's Office

800 5th Ave., Ste. 2000

Seattle, WA 98104-3188

(206) 389-3996

ShannonS@atg.wa.gov

From: "William Portuese" <Redacted@com>

To: "Smith, Shannon E (ATG)" <shannon.smith@atg.wa.gov>

Subject: Re: Thank you for the voicemail and email messages

Date: Wed, 14 Aug 2019 14:18:09 -0000

Importance: Normal

Shannon,

Thank you for the update, and please feel free to reach out if you need more information. I did hear a rather disconcerting story from another plastic surgeon based here in Seattle about Dr. Sajan. A few months ago, one of Dr. Sajan's patients checked in for surgery at his office with their family members. The patient was undergoing surgery in the operating room under general anesthesia. The patient's family members were in the waiting room. The family members noticed a suggestion in the waiting room to follow Dr. Sajan on a social media site called Snapchat. When they logged on to Snapchat and opened up Dr. Sajan's account, they were aghast, since they were now watching live surgery on their own family member being performed in the operating room!

Bill Portuese MD

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Shannon

Shannon Smith, Senior Assistant Attorney General

Division Chief, Consumer Protection Division

Washington Attorney General's Office

800 5th Ave., Ste. 2000

Seattle, WA 98104-3188

(206) 389-3996

ShannonS@atg.wa.gov

From: "Smith, Shannon E (ATG)" </O=WA.GOV/OU=ATG_OLY1/CN=RECIPIENTS/CN=SHANNONS>

To: "'William Portuese'" <Redacted.com>

Subject: Thank you for the voicemail and email messages

Date: Tue, 13 Aug 2019 23:54:20 -0000

Importance: Normal

Hello Dr. Portuese,

I have been primarily out of the office for several days and missed your call from last week. I received the helpful information you sent me by email. I've asked a few people in the Consumer Protection to review what you sent and if we have additional questions, one of us will reach out to you.

Thanks and best regards,

Shannon

Shannon Smith, Senior Assistant Attorney General
Division Chief, Consumer Protection Division
Washington Attorney General's Office
800 5th Ave., Ste. 2000
Seattle, WA 98104-3188
(206) 389-3996
ShannonS@atg.wa.gov

From: "Smith, Shannon E (ATG)"
</O=WA.GOV/OU=ATG_OLY1/CN=RECIPIENTS/CN=SHANNONS>

To: "William Portuese" <Redacted.com>

Subject: RE: Document Attached

Date: Wed, 31 Jul 2019 23:36:38 -0000

Importance: Normal

Thanks very much for the information.

Regards,

Shannon

Shannon Smith

Division Chief, Consumer Protection Division

Washington Attorney General's Office

800 5th Ave., Ste. 2000

Seattle, WA 98104-3188

(206) 389-3996

ShannonS@atg.wa.gov

From: William Portuese

Sent: Wednesday, July 31, 2019 4:35 PM

To: Smith, Shannon E (ATG)

Subject: Fwd: Document Attached

Shannon

Here is the N.D.A for Dr. Javad Sajan. Andrew Olmsted (mis-spelled Olmstead on his website) is the in-house counsel for him. I forgot to mention that several plastic surgeons in the community including myself have seen negative reviews appear on the social media rating sites for this doctor, and then evaporate after 2-3 days....I will send Ads which tout him as "The Best reviewed Seattle Plastic Surgeon"

Bill Portuese MD

----- Forwarded message -----

From: Maddy Derrick <Redacted>

Date: Wed, Jul 31, 2019 at 4:10 PM

Subject: Document Attached

To: William Portuese <Redacted.com>

Maddy Derrick

Front Desk Coordinator

Dr. William A. Portuese

Redacted

Please note that this email is not necessarily protected against interception by unauthorized individuals and it is not confidential or privileged. Please note that email addresses can be falsified, so that there is no guarantee that this email is from the address of the sender. Please contact The Seattle Facial Plastic Surgery Center by telephone if you would prefer to use a secure messaging service. If you are concerned that the message may be spoofed, please contact directory assistance for The Seattle Facial Plastic Surgery Center's telephone number.

From: "William Portuese" <Redacted.com>

To: "Smith, Shannon E (ATG)" <shannon.smith@atg.wa.gov>

Subject: Fwd: Document Attached

Date: Wed, 31 Jul 2019 23:35:26 -0000

Importance: Normal

Attachments: Allure.pdf

Shannon

Here is the N.D.A for Dr. Javad Sajan. Andrew Olmsted (mis-spelled Olmstead on his website) is the in-house counsel for him. I forgot to mention that several plastic surgeons in the community including myself have seen negative reviews appear on the social media rating sites for this doctor, and then evaporate after 2-3 days....I will send Ads which tout him as "The Best reviewed Seattle Plastic Surgeon"

Bill Portuese MD

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From: **Maddy Derrick** <Redacted>

Date: Wed, Jul 31, 2019 at 4:10 PM

Subject: Document Attached

To: William Portuese <Redacted.com>

Maddy Derrick
Front Desk Coordinator
Dr. William A. Portuese
Redacted

Please note that this email is not necessarily protected against interception by unauthorized individuals and it is not confidential or privileged. Please note that email addresses can be falsified, so that there is no guarantee that this email is from the address of the sender. Please contact The Seattle Facial Plastic Surgery Center by telephone if you would prefer to use a secure messaging service. If you are concerned that the message may be spoofed, please contact directory assistance for The Seattle Facial Plastic Surgery Center's telephone number.

Exhibit 2

In the Matter Of:
STATE OF WASHINGTON
VS
ALDERWOOD SURGICAL CENTER

WILLIAM ANTHONY PORTUESE, M.D.

October 25, 2023



Moburg Reporting
33400 9th Ave. South, Suite 207
Federal Way, WA 98003
(206) 622-3110
www.MoburgReporting.com

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STATE OF WASHINGTON,)
)
Plaintiff,)
)
vs.) No. 2:22-CV-01835-RSM
)
ALDERWOOD SURGICAL CENTER)
LLC, et al.,)
)
Defendant.)
)

COPY

Video-Recorded Deposition Upon Oral Examination
of

WILLIAM ANTHONY PORTUESE, M.D.
Volume I

1:20 p.m.

October 25, 2023

1201 Third Avenue, Suite 4900

Seattle, Washington

Kristin L. Mattsen, CCR No. 3280, RPR

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

Page 2

1 APPEARANCES

2 FOR THE PLAINTIFF:

3 MATTHEW GEYMAN
4 ZORBA LESLIE
5 CAMILLE McDORMAN (via Zoom)
6 ALEXANDRA KORY (via Zoom)
7 LAURA CLINTON (via Zoom)
8 BRET FINKELSTEIN (via Zoom)
9 Assistant Attorneys General
10 WASHINGTON STATE OFFICE OF THE ATTORNEY
11 GENERAL, CONSUMER PROTECTION DIVISION
12 800 Fifth Avenue
13 Suite 2000
14 Seattle, Washington 98104
15 Matt.Geyman@atg.wa.gov
16 Zorba.Leslie@atg.wa.gov
17 Camille.McDorman@atg.wa.gov
18 Alexandra.Kory@atg.wa.gov
19 Laura.Clinton@atg.wa.gov
20 Bret.Finkelstein@atg.wa.gov

12 FOR THE DEFENDANT:

13 JAMES SANDERS
14 Attorney at Law
15 PERKINS COIE LLP
16 1201 Third Avenue
17 Suite 4900
18 Seattle, Washington 98101-3099
19 JSanders@perkinscoie.com
20
21 ERON Z. CANNON (via Zoom)
22 KRISTEN E. LANGE
23 Attorneys at Law
24 FAIN ANDERSON VanDERHOEF ROSENDAHL
25 O'HALLORAN SPILLANE PLLC
3131 Elliott Avenue
Suite 300
Seattle, Washington 98121
eron@favros.com
kristen@favros.com

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

Page 3

1 APPEARANCES continued

2 FOR THE WITNESS:

3 DANIEL M. WEISKOPF
4 Attorney at Law
5 McNAUL EBEL NAWROT & HELGREN PLLC
6 600 University Street
Suite 2700
7 Seattle, Washington 98101
dweiskopf@mcnaul.com

7 THE COURT REPORTER AND THE VIDEOGRAPHER:

8 KRISTIN L. MATTSSEN, CCR No. 3280, RPR
9 LUCAS CHEADLE, CLVS
MOBURG REPORTING
33400 Ninth Avenue South
Suite 207
10 Federal Way, Washington 98003
info@MoburgReporting.com

12 ALSO PRESENT:

13 ERIN O'LEARY
"HR Team" (via Zoom)

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

Page 8

1 Ebel for Dr. Portuese.

2 THE WITNESS: Dr. William Portuese.

3

4 WILLIAM ANTHONY PORTUESE, M.D., witness herein, having
5 been duly sworn by the
6 Certified Court Reporter,
7 testified under oath as
8 follows:

9 EXAMINATION

10 BY MR. SANDERS:

11 Q. Good afternoon, Dr. Portuese.

12 A. Hello.

13 Q. Would you please state your full name.

14 A. William Anthony Portuese.

15 Q. And would you spell Portuese, please.

16 A. P-o-r-t-u-e-s-e.

17 Q. Dr. Portuese, I'm going to just start with
18 the big question. Have you ever met Dr. Sajan in person
19 before?

20 A. No.

21 Q. So the two of you are present today in a room
22 for the first time ever?

23 A. Correct.

24 Q. How many complaints have you filed against
25 him with various governmental agencies?

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

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1 Q. Okay. So you could have but you -- you don't
2 remember?

3 A. Correct.

4 Q. All right. Like, for example, you may not
5 have known he was Bob Ferguson, and the two of you might
6 just have been at the same place somewhere or -- how is
7 it that you would not remember? He's a pretty notable
8 guy. I just want to make sure that I'm clear. You
9 think you -- you did talk to him outside of these
10 fundraisers? You're just not sure or --

11 A. I don't remember.

12 MR. WEISKOPF: Wait. Hold on a second.

13 So let him finish his question and then
14 answer. So just slow down a beat. I don't think
15 there's actually any question pending. I think it's --

16 MR. SANDERS: Yeah.

17 MR. WEISKOPF: -- a statement.

18 Q. (BY MR. SANDERS) I'm just trying to get a
19 clarification here. How certain are you that you've
20 never spoken to him other than at these fundraisers
21 prior to July 28th, 2019?

22 A. I have no recollection of talking to him
23 outside of a fundraiser.

24 Q. Okay. That's good enough.

25 All right. The political fundraisers that

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

Page 19

1 you have hosted, what candidates did you host those for?

2 A. Christine Gregoire, the current Insurance

3 Commissioner -- I'll think of it in a minute. There was

4 a -- there was a -- this, again, going back a long time

5 when I was doing public policy work 10, 15 years ago.

6 There was a Democratic representative from Spokane.

7 Again, some of these were done -- these --

8 most of these were done in conjunction for WASCA, the

9 Washington State Ambulatory Surgery Center

10 Association --

11 Q. Okay.

12 A. -- not me personally.

13 Q. Okay.

14 A. And there was another one I did at my house

15 for a gentleman running for U.S. Senate on the

16 Republican side, but it's been --

17 Q. You don't remember the name?

18 A. It's 15 years ago.

19 Q. Okay. So you don't remember the name?

20 A. Not off the top of my head.

21 Q. Okay. Any other candidates you remember

22 hosting political fundraising events for?

23 A. Oh, Reagan Dunn and Rob McKenna.

24 Q. Okay. Sounds like you work both sides of the

25 political spectrum when it comes to fundraising?

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

Page 20

1 A. Correct.

2 Q. All right. Have you ever held a fundraiser
3 for Donald Trump?

4 A. No.

5 Q. Hillary Clinton?

6 A. No.

7 Q. Joe Biden?

8 A. No.

9 Q. I want to talk a little bit about complaints
10 that you have made to various governmental or regulatory
11 agencies regarding other healthcare providers. Okay?
12 We're going to talk about Dr. Sajan here in a minute; so
13 let's set him aside.

14 What practitioners, medical practitioners
15 here in the Puget Sound area, have you at any time filed
16 a complaint against?

17 A. Philip Young --

18 Q. Okay.

19 A. -- and Kristine Brecht. That's with a K.

20 Q. Any others?

21 A. That's it.

22 Q. What about practices?

23 A. Those are the only three that come to mind.

24 Q. Philip Young, Kristine Brecht, and Dr. Sajan?

25 A. Uh-huh. Correct.

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

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1 Attorney General's Office.

2 A. She just was telling me that they opened an
3 investigation and they have an attorney assigned to the
4 case. That's all she said. "And I'd like to ask you
5 some questions," clarif- -- clarifying the two letters
6 that I wrote.

7 Q. All right. And was that, to the best of your
8 recollection, in the fall of 2022?

9 MR. WEISKOPF: Objection. Misstates
10 prior testimony.

11 Q. (BY MR. SANDERS) Well, the first question
12 was how many communications did you have with the
13 Attorney General's Office in the fall of 2022, and you
14 said four.

15 A. I don't remember the timeline but the
16 investigation -- those conversations I had with Victoria
17 were over maybe a year, and it could have been 2021,
18 2022.

19 Q. Well, let me ask this question again, then,
20 and give you an opportunity to answer it correctly.

21 How many conversations did you have with the
22 Attorney General's Office in the fall of 2022?

23 A. I would --

24 MR. WEISKOPF: Object to form. Asked
25 and answered.

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

Page 48

1 You can answer.

2 THE WITNESS: Four or five phone

3 calls --

4 Q. (BY MR. SANDERS) Okay.

5 A. -- with Victoria.

6 Q. All right.

7 A. And probably one with Shannon Smith. I think

8 that's it.

9 Q. Did you ever discuss Dr. Sajan with Attorney
10 General Bob Ferguson at any time after July 28th, 2019?

11 A. I never discussed Dr. Sajan with Bob Ferguson
12 at all other than I had -- when I asked him, "Who do I
13 talk to in the department about a problem in my
14 industry, another physician problem in my industry?"
15 That's all I said. He had no idea. I never mentioned
16 the name.

17 Q. So the answer to my question is you've never
18 discussed Dr. Sajan with Bill -- Bob Ferguson at any
19 time after July 28th, 2019?

20 A. Correct.

21 Q. Okay. Have you ever spoken with Bob Ferguson
22 at any time after July 28th, 2019?

23 A. No, I have not.

24 Q. All right. Back to my question regarding
25 Exhibit 1, do you possess any communications regarding

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

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1 exact specifics.

2 Q. (BY MR. SANDERS) All right. Were you
3 unhappy with what the Department of Health was doing?

4 A. I don't remember the --

5 MR. WEISKOPF: Object to form.

6 THE WITNESS: I don't remember the
7 specific issues at hand.

8 Q. (BY MR. SANDERS) All right. Was the point
9 of looping in the Attorney General's Office the hope or
10 the expectation that they would intervene with the
11 Department of Health in a way that you wanted them to?

12 A. That was -- we were -- again, we were there
13 for public policy.

14 Q. Okay. All right. And what was it you were
15 hoping that the attorneys from the Attorney General's
16 Office would do in connection with the Department of
17 Health?

18 A. I don't recall. It would probably be in
19 Shane Esquibel's note -- chart notes that day.

20 Q. Okay.

21 (Exhibit No. 8 marked for
22 identification.)

23 THE COURT REPORTER: Exhibit 8.

24 Q. (BY MR. SANDERS) Do you recognize what we've
25 marked as Exhibit 8, Dr. Portuese?

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

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1 A. I do recognize it.

2 Q. Is this an anonymous complaint that you

3 submitted to the Washington Attorney General's Office --

4 A. It is, and I had forgot --

5 Q. -- against Dr. Sajan?

6 A. I had forgotten I did this.

7 Yes, I submitted this.

8 Q. Okay. And was the date of the submission

9 May 22nd, 2019?

10 A. That's what -- that's what's stamped on

11 the -- on the document.

12 Q. Okay. If you look at page 7 of the document,
13 it's the Catalyst Complaint Cover Page. One question is
14 did you knowingly submit this to the Bellingham office
15 of the Consumer Protection Division?

16 A. I don't remember.

17 Q. Do you have any -- any -- any --

18 A. I don't even remember filing this.

19 Q. Did you get any response from anyone at the
20 Attorney General's Office after filing this?

21 A. No.

22 Q. No one ever called you?

23 A. Correct.

24 Q. No one ever asked you for information?

25 A. Correct.

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

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1 the -- the State's response to our request for
2 admission. I've been misstating it. I've been saying
3 it was July 28th. It was in fact July 30th. I'll
4 just --

5 A. So who's -- who's more confused, me or you?

6 MR. WEISKOPF: He's representing to you
7 it's July 30th.

8 Q. (BY MR. SANDERS) And I'm clearing up the
9 record. Yeah. And -- so it's July 30th when you speak
10 with Attorney General Ferguson and donate the money to
11 his campaign, and then the next day, you follow up with
12 his assistant; right?

13 A. Right.

14 Q. Okay. And the -- the consumer protection
15 issue that you had discussed with Bob last night, did
16 you tell him what kind of issue it was?

17 A. I just said I had a problem -- "I'm a
18 physician in Seattle, and I have a problem. I need to
19 talk to somebody about another physician."

20 Q. All right. He -- he knew enough about what
21 you had complained about to identify Shannon Smith as
22 the right person to speak with; right?

23 A. She -- he said, "Talk to my chief of" -- "of
24 Consumer Protection. It's Shannon Smith."

25 Q. All right.

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

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1 it.

2 MR. SANDERS: So -- so --

3 MR. WEISKOPF: I understand.

4 MR. SANDERS: Yeah.

5 MR. WEISKOPF: Sorry.

6 MR. SANDERS: I thought, in fairness, he
7 should have the attachment --

8 MR. WEISKOPF: I got it.

9 MR. SANDERS: -- when he's looking at
10 the strand.

11 MR. WEISKOPF: Thank you.

12 You still reviewing, or you good?

13 THE WITNESS: I'm good.

14 MR. WEISKOPF: Okay.

15 Q. (BY MR. SANDERS) The -- Exhibit 12,

16 Dr. Portuese, who is the Tom that you reference in the
17 email string?

18 A. Tom Seery is the founder of RealSelf.

19 Q. All right. And who is -- who is Josh King?

20 A. In-house corporate counsel.

21 Q. For?

22 A. RealSelf.

23 Q. Okay. Why were you forwarding Josh King, the
24 in-house corporate counsel of RealSelf, a copy of
25 Allure's nondisclosure agreement?

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

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1 MR. SANDERS: What's that?

2 THE VIDEOGRAPHER: Any copies to put on
3 the record, copy orders?

4 MR. SANDERS: Yeah. We're ordering.
5 Hold on the video, order of the transcript.

6 MR. GEYMAN: We'll do the same.

7 MR. SANDERS: Regular timing is fine.

8 MR. WEISKOPF: We'll reserve signature.
9 Thank you.

10 MR. GEYMAN: And we'd like the exhibits
11 with the transcript, which is you.

12 MR. SANDERS: Yeah. We'd like the
13 exhibits, yeah.

14 THE VIDEOGRAPHER: This concludes
15 today's proceedings. We're going off the record at
16 4:58 p.m.

17 (Signature reserved.)

18 (Deposition adjourned at 4:58 p.m.)

19

20

21

22

23

24

25

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

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1 C E R T I F I C A T E

2 STATE OF WASHINGTON)
) SS.
3 COUNTY OF KING)

4 I, the undersigned Washington Certified Court
Reporter, pursuant to RCW 5.28.010 authorized to
5 administer oaths and affirmations in and for the State
of Washington, do hereby certify:

6 That the annexed and foregoing deposition
consisting of pages 1 through 168 of the testimony of
7 each witness named herein was taken stenographically
before me and reduced to typed format under my
8 direction;

9 I further certify that according to CR 30(e)
the witness was given the opportunity to examine, read
10 and sign the deposition after the same was transcribed,
unless indicated in the record that the review was
11 waived;

12 I further certify that all objections made at
the time of said examination to my qualifications or the
13 manner of taking the deposition or to the conduct of any
party have been noted by me upon each said deposition;

14 I further certify that I am not a relative or
15 employee of any such attorney or counsel, and that I am
not financially interested in the said action or the
16 outcome thereof;

17 I further certify that each witness before
examination was by me duly sworn to testify the truth,
18 the whole truth and nothing but the truth;

19 I further certify that the deposition, as
transcribed, is a full, true and correct transcript of
20 the testimony, including questions and answers, and all
objections, motions, exceptions of counsel made and
21 taken at the time of the foregoing examination and was
prepared pursuant to Washington Administrative Code
22 308-14-135, the transcript preparation format
guidelines;

23 I further certify that I am sealing the
24 deposition in an envelope with the title of the above
cause and the name of the witness visible, and I am
25 delivering the same to the appropriate authority;

October 25, 2023

STATE OF WASHINGTON vs ALDERWOOD SURGICAL CENTER

William Anthony Portuese, M.D.

Page 170

1 I further advise you that as a matter of firm
2 policy, the Stenographic notes of this transcript will
3 be destroyed three years from the date appearing on this
Certificate unless notice is received otherwise from any
party or counsel hereto on or before said date;

4 IN WITNESS WHEREOF, I have hereunto set my
5 hand and affixed my official seal this 7th day of
November, 2023.

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Kristin L. Mattsen, CCR, RPR
Washington State Certified
Court Reporter
License No. 3280

14

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25

Exhibit 3

From: "Gaul, Judy L (ATG)" <Redacted>

To: "William Portuese" <Redacted>

Subject: RE: summer internships

Date: Wed, 31 Jul 2019 21:21:57 -0000

Importance: Normal

Shannon's email address is REDACTED and her telephone number is REDACTED

Please let me know if you need anything else. Thanks.

From: William Portuese

Sent: Wednesday, July 31, 2019 2:04 PM

To: Gaul, Judy L (ATG)

Subject: Re: summer internships

Judy

I also discussed a consumer protection issue with Bob last night and he asked me to contact Shannon Smith to discuss . Could you please provide me her direct line, or she can call me on my cell REDACTED

Bill Portuese MD

On Wed, Jul 31, 2019 at 11:10 AM Gaul, Judy L (ATG) <Redacted> wrote:

Dr. Portuese,

It is nice to hear from you again. I hope this finds you well.

I know that unfortunately, we were unsuccessful last year in trying to place Isabella in an internship opportunity with our office. Today I talked with the manager of our Human Resources Division in Seattle, Kim Siebs, to let her know that Isabella is still interested. She recommends that for an internship or volunteer opportunity for next summer, that Isabella not submit her materials any sooner than 3 months in advance as we will not know which divisions of our office have capacity for next summer until we get a little bit closer to that period of time. In the meantime, I would be happy to schedule an informational interview for Isabella with the Administrative Manager of our Criminal Justice Division in Seattle if that would be of interest to her. If so, please let me know and I will assist in setting that up.

Below is information about volunteer/internship positions with our office, which includes the application form.

I hope this is helpful. Please let me know if there's anything else I can do for you.

Best wishes,

Judy Gaul

Executive Assistant to the Attorney General

(Redacted)

Volunteer and Internship Information

The Attorney General's Office values volunteers and the work that they do to assist the citizens of Washington. By becoming a volunteer with the Attorney General's Office you will have an opportunity to contribute your talents by assisting the public, while gaining valuable experience in an assortment of different [locations](#) and [divisions](#).

The Attorney General's Office has a variety of volunteer opportunities available. Whether you are looking to obtain on-the-job experience or school credit, we can help you find an opportunity to fit your needs.

What We Provide:

- The opportunity to work with and meet peers who are dedicated to public service
- An opportunity to make a difference utilizing your talents
- Valuable work experience in a professional environment
- Hands on experience utilizing state of the art office equipment and software
- Training that is relevant to the volunteer opportunity

Expectations and Desired Qualifications:

- Basic computer experience
- Enthusiasm and willingness to learn
- Ability to operate a variety of office equipment, such as fax machines, copiers, scanners, and multi-line telephones

How to Apply:

If you are interested in assisting the Attorney General's Office realize our vision "to be the best public law office in the United States, proudly contributing to the greatness of Washington", then follow the application instructions outlined below.

- Complete the [volunteer application](#)
- Attach a cover letter illustrating what type of opportunity you are seeking, when you would like to start, the number of hours you are available to commit and what skills you can contribute to the office
- Attach a current resume
- Provide three professional references with current telephone numbers

Submit the above listed materials via email to HREmployment@atg.wa.gov

Please note: Volunteers to the AGO are also subject to the guidelines for the criminal conviction screening process in response to the Fair Chance Act that went into effect in June of 2018. FCA prohibits employers

from automatically or categorically excluding individuals with a criminal record from consideration before determining that they are otherwise qualified for the position.

As the final phase in the volunteer application process, the Human Resources Office will contact the volunteer applicant to complete the separate criminal conviction screening process.

From: William Portuese <Redacted>

Sent: Wednesday, July 31, 2019 9:52 AM

To: Gaul, Judy L (ATG) <Redacted>

Subject: summer internships

Judy,

Bob Ferguson gave me your contact information about having my daughter apply for a summer internship for next summer. She is a senior in college with a major in criminal justice. She will be graduating next May. Could you please forward me the online application process for her? Thank you for so much for your help

Bill Portuese MD

Exhibit 3

From: "Gaul, Judy L (ATG)" <Redacted>

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- The opportunity to work with and meet peers who are dedicated to public service
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- Valuable work experience in a professional environment
- Hands on experience utilizing state of the art office equipment and software
- Training that is relevant to the volunteer opportunity

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To: Gaul, Judy L (ATG) [Redacted] >
Subject: summer internships

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Bill Portuese MD

Exhibit 4



Contributions

Search contributions to all candidates and political committees since 2007. Campaigns are required to itemize any contribution that in aggregate exceed the itemization threshold. Those reported as "in-kind" represent the contribution of goods and services.

Results for:

Contributor: portuese ✕

Candidate/Committee Name: ferguson ✕

^ Hide Filters Search Tips

Contributor

portuese

X

Candidate/Committee Name

ferguson

X

Election Year

Select

X

Campaign Type

Select

X

City

Enter text

X

State

Select

X

Employer

Enter text

X

Occupation

Enter text

X

Amount

From

To

X

Contribution Date

From

To

X

Cash or In-Kind

Select

X

Primary or General

Select

X

Show 50 entries

[Download 6 rows as CSV.](#)

Contributor	Candidate/Committee	Election Year	Campaign Type	City	State	Employer	Occupation	Amount	Cash or In-kind	Receipt Date	Contributor Category
+ Dr. William A. Portuese	Robert W. Ferguson (Bob Ferguson)	2024	Candidate	Seattle	WA	Aesthetic Associates Inc.	MEDICAL DOCTOR - PHYSICIAN	\$750.00	Cash	05/10/2023	Individual
+ PORTUESE WILLIAM	Robert W. Ferguson (ROBERT FERGUSON)	2016	Candidate	SEATTLE	WA	SEATTLE FACIAL PLASTIC SURGERY	PHYSICIAN	\$500.00	Cash	09/29/2013	Individual
+ PORTUESE WILLIAM A.	Robert W. Ferguson (ROBERT FERGUSON)	2016	Candidate	SEATTLE	WA	SEATTLE FACIAL PLASTIC SURGERY	PHYSICIAN	\$1,000.00	Cash	07/15/2014	Individual
+ PORTUESE WILLIAM A DR.	Robert W. Ferguson (Robert Ferguson)	2020	Candidate	SEATTLE	WA	AESTHETIC ASSOCIATES INC.	PHYSICIAN	\$500.00	Cash	06/10/2020	Individual
+ PORTUESE WILLIAM A DR.	Robert W. Ferguson (Robert Ferguson)	2020	Candidate	SEATTLE	WA	SELF	PHYSICIAN	\$500.00	Cash	07/23/2019	Individual
+ PORTUESE WILLIAM A DR.	Robert W. Ferguson (Robert Ferguson)	2020	Candidate	SEATTLE	WA	SELF	PHYSICIAN	\$250.00	Cash	10/17/2019	Individual

Showing 1 to 6 of 6 entries (filtered from 6,246,117 total entries)

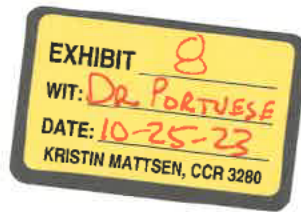
Previous

1

Next

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Exhibit 5



RECEIVED

MAY 20 2010

-15

**CONSUMER PROTECTION DIVISION
SEATTLE**

Dear Attorney General's Office

Complaint against: Javad Sajan MD

Please see the accompanying nondisclosure agreement Dr. Javad Sajan makes all of his patients sign before he will do any procedures upon them. This is a restriction of the First Amendment for free speech, which does not allow patients to complain to the Department of Health, the Atty. Gen.'s office, any of the dozens of rating and review sites, or any other authority that would have jurisdiction. In addition, the Federal Trade Commission has taken specific exception to this type of nondisclosure agreements by physicians in the past.

Also included are advertisements by Dr. Sajan touting his patient reviews are the best of any plastic surgery center, and that he is got the best reviews of any plastic surgeon in Seattle. The reason for this is because he forces patients to take down any negative reviews with the threat of a lawsuit based on his nondisclosure agreement.

Please see fit to take legal action to stop this type of behavior



Mutual Nondisclosure Agreement

We take great pride in our reputation for providing the highest levels of quality medical care to our patients. However, we realize there are times when some patients may not be satisfied with the outcome of their treatments. We also recognize that in these instances, a patient has every right to voice their opinion if they are dissatisfied with our service. We respect every patient's right to do so and we welcome the opportunity to correct any issue or concern that may arise.

If I am concerned with the care or service provided to me, Alderwood Surgical Center (DBA: Gallery of Cosmetic Surgery, Allure Esthetic, and Seattle Plastic Surgery) and _____ (Patient Name) agree to do the following:

(Initials): _____

First, Patient agrees to call Alderwood Surgical Center at (206) 209-0988 or (425) 775-3561 and allow Dr. Javad Sajan or Dr. Craig Jonov, and any other person affiliated with Alderwood Surgical Center the opportunity to resolve the issue. I understand that calling Alderwood Surgical Center is a more effective means of reaching a resolution than posting negative reviews. I understand that this Agreement covers all forms of media including online review sites.

Alderwood Surgical Center and its affiliates will make a good faith effort to resolve your concern and will communicate with you in a timely manner to expedite the process.

I agree to work with Alderwood Surgical Center and its affiliates to correct the issue until a resolution is reached.

If you have any questions regarding this form, please do not hesitate to ask your physician or their assistants.

Patient Name (Please Print)

Patient Signature

Date

Witness Name (Please Print)

Witness Signature

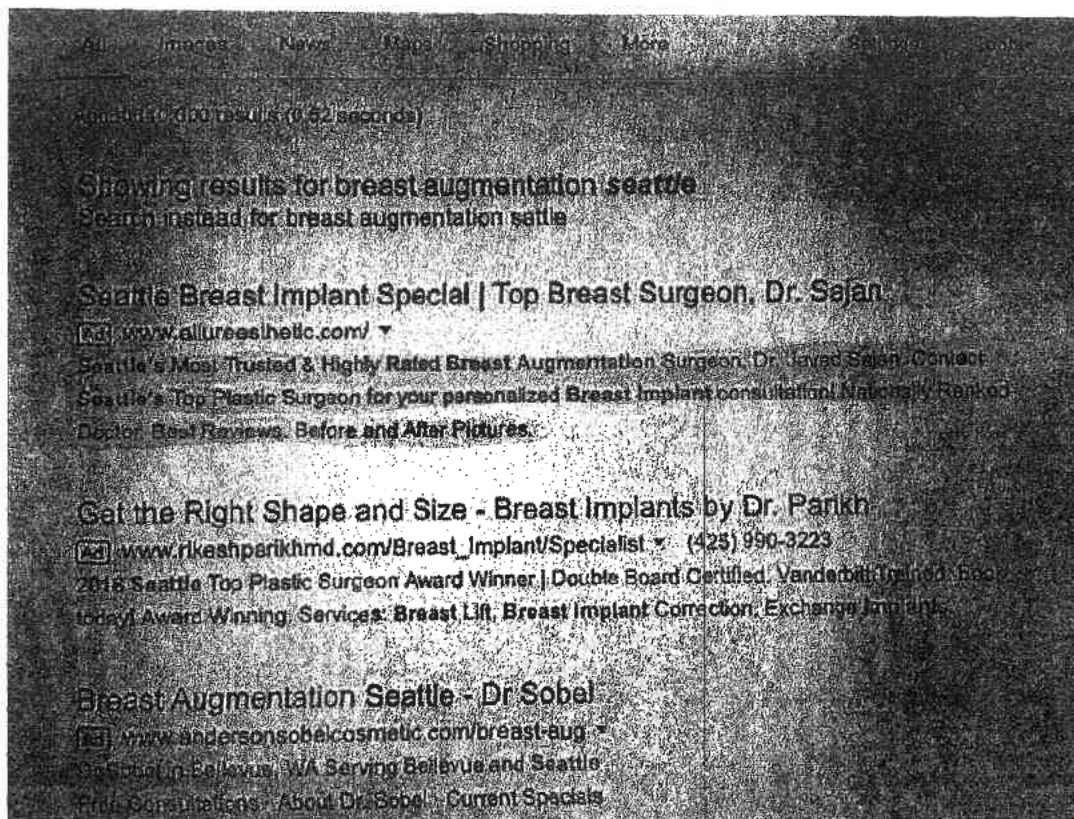
Date

TL-00003
PRR-2023-0026

Seattle Plastic Surgery - Multiple Patient Choice Awards
[AS] www.dr.salem.com/Board-Certified •
Named One Of "America's Top Plastic Surgeons". Call Dr. Salem Today! Tailored Treatment
Thorough Detailed Consult. Stunning Photo Gallery. Easy Affordable Financing. Distinguished
Doctor. Dramatic Natural Results. Award-Winning Surgeon. State-of-the-Art Facility.

Facelift Available for \$6995 - Limited Time Only & Ends Soon
[AS] www.allureesthetic.com/facelift • (206) 209-0988
We're Seattle's #1 Ranked Plastic Surgery Center. Contact Us Today To Learn More.
9600 Broadway #320, Seattle, WA - Open today - 8:00 AM - 9:00 PM •

Sam Naficy, MD - Natural Appearing Face Lifts
[AS] www.seattleface.com/ • (425) 450-0680
Specialization in natural and lasting facial surgery. See our results.
Ask the Doctor - Schedule an Appointment





Seattle 98104
FRI 17 MAY 2019 3M

Attorney
General's Office
Div. of Consumer Complaints

800 5th Ave
Suite 2000
SEATTLE, WA 98104-3188

Catalyst Complaint Cover Page

549046

Complaint

Number	549046	Status	Closed	CONFIDENTIAL
Date	5/22/2019	Assignee	Holbrook, Ruth E	
Location	Bellingham - Consumer Protection Division	Actual Savings	\$0.00	
NAICS	621100-Office of Physicians	Amount Disputed	\$0.00	
		Estimated Savings	\$0.00	

Complainant

<u>Name</u>	<u>Phone Day</u>	<u>Phone Evening</u>	<u>Email</u>
Anonymous Anonymous			
,			

Respondent(s)

<u>Name</u>	<u>Contact</u>	<u>Phone</u>	<u>Toll Free</u>	<u>Email</u>
Alderwood Surgical Center dba Gallery of Cosmetic Surgery; Allure Esthetic; Seattle Plastic Surgery 600 Broadway Ste 320 Seattle, WA 98122	Dr Javad Sajan or Dr Craig Jonov	(206) 209-0988		admin@seattleplast icsurgery.com

Referral(s)

<u>Name</u>	<u>Contact</u>	<u>Phone Contact</u>	<u>Phone</u>	<u>Email</u>
-------------	----------------	----------------------	--------------	--------------

Practice(s)

<u>Code</u>	<u>Practice</u>
999	Other/Miscellaneous

Activities

<u>Date Added</u>	<u>Activity Type</u>	<u>Activity</u>
5/22/2019	Intake Notes	Permission was not given to send complaint to R.
5/28/2019	Resolution-CLOSED INQUIRY/INFORMATION	

549046

1 of 2

<u>Date Added</u>	<u>Activity Type</u>	<u>Activity</u>
6/6/2019	Records Management	Document 549046 Paper and electronic document compared and verified to be accurate, complete and accessible. Paper file destroyed per Scan and Toss Policy on 6/6/2019 by AWu.

Exhibit 6

The Honorable Ricardo S. Martinez

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON,

Plaintiff,

v.

ALDERWOOD SURGICAL CENTER,
LLC, a Washington limited liability
company; NORTHWEST NASAL SINUS
CENTER P.S., a Washington professional
service corporation; and JAVAD A.
SAJAN, M.D.,

Defendants.

NO. 2:22-cv-01835-RSM

PLAINTIFF'S RESPONSES TO
DEFENDANTS' SECOND REQUESTS
FOR ADMISSION TO PLAINTIFF
STATE OF WASHINGTON

Pursuant to Fed. R. Civ. P. 26 and 36, Plaintiff the Office of the Attorney General for the State of Washington, by and through its Consumer Protection Division (AGO), sets forth its responses and objections to Defendants' Second Requests for Admission to Plaintiff.

I. GENERAL OBJECTIONS

The following General Objections apply to each of the Requests for Admission. The particular objections that follow a request are intended to amplify the General Objections and do not limit the applicability of any of the General Objections.

1.1. Each of these responses is subject to, and the AGO expressly reserves, all appropriate objections. The responses may include information not admissible at trial. The AGO

1 **REQUEST FOR ADMISSION NO. 41:** Admit that the investigation into Defendants
2 first began on or about August 19, 2019.

3 **RESPONSE:** The AGO objects to Defendants' use of passive voice as introducing
4 unnecessary ambiguity and objects that the term "investigation" is vague and ambiguous. Subject
5 to and without waiving its objections, the AGO admits that it first administratively opened a
6 matter for an investigation into Defendants' conduct in or about early August 2019.

7 **REQUEST FOR ADMISSION NO. 42:** Admit that a significant percentage of
8 complaints received by or referred to the WAG's Consumer Protection Division do not result in
9 Civil Investigative Demand investigations.

10 **RESPONSE:** The AGO objects to Defendants' use of passive voice as introducing
11 unnecessary ambiguity and objects that the undefined terms "WAG," "significant percentage,"
12 and "Civil Investigative Demand investigations" are vague and ambiguous.

13 Subject to and without waiving its objections, the AGO admits that its Consumer
14 Resource Center receives tens of thousands of consumer complaints every year and that it does
15 not issue Civil Investigative Demands (CIDs) or initiate investigations concerning the majority
16 of such consumer complaints.

17 **REQUEST FOR ADMISSION NO. 43:** Admit that a significant percentage of WAG
18 CID investigations do not result in litigation.

19 **RESPONSE:** The AGO objects to Defendants' use of passive voice as introducing
20 unnecessary ambiguity and objects that the undefined terms "WAG," "significant percentage,"
21 "CID investigations," and "result in litigation" are vague and ambiguous. Subject to and without
22 waiving its objections, the AGO admits that it investigates more matters than it files lawsuits
23 over, and that it frequently issues CIDs in the course of investigations that resolve prior to or
24 without need for filed lawsuits.

25 **REQUEST FOR ADMISSION NO. 44:** Admit that Attorney General Bob Ferguson
26 affirmatively stated the investigation started "approximately a year ago, a little more than a year

Exhibit 7

From: "Suner, Victoria (ATG)" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=672FAAAD94CE4175B4756F6F88E93602-SUNER, VICT>

To: "Cynthia" <[REDACTED]>

Subject: RE: Allure Aesthetics Consumer Complaint # 582581

Date: Wed, 01 Sep 2021 01:01:19 -0000

Importance: Normal

Inline-Images: image002.png; image003.jpg

Hello,

Thanks for your prompt response. I can call you Thursday at 1:30 pm. What is the best number to reach you?

Regards,

Victoria



Victoria Suner | Investigator

Washington State Attorney General's Office

800 Fifth Avenue, Suite 2000 | Seattle, WA | 98104

Phone: 206-516-2995

E-mail: Victoria.Suner@ATG.WA.GOV

From: Cynthia [REDACTED]

Sent: Tuesday, August 31, 2021 5:41 PM

To: Suner, Victoria (ATG) <victoria.suner@atg.wa.gov>

Subject: Re: Allure Aesthetics Consumer Complaint # 582581

[EXTERNAL]

Hello,

I'm available

Wednesday from 10-12 or 3-5pm

Thursday from 1-4 pm

Friday from 9:30-12

Cynthia

--

Cynthia Tamlyn-CCA, CMHIMP

Pronouns: She/Her

Certified Clinical Aromatherapist

Certified Mental Health Integrative Medicine Provider

Aromatherapy Educator, Consultant, Author, and Public Speaker

Owner: OilisticAromatherapy.com

The contents of this email are private and confidential. If you received this email in error please let me know. Emails from this address are for the educational purposes of the intended recipient only and are not meant to be substituted for professional medical advice or forwarded on to other individuals for the purpose of replacing professional medical advice.

On Tue, Aug 31, 2021 at 3:24 PM Suner, Victoria (ATG) <victoria.suner@atg.wa.gov> wrote:

Hello,

I would like to speak with you regarding your transaction/experience with Allure Esthetics in response to the complaint filed on 10/28/2020.

Can you please respond to this email with some days and times that work for you to chat with me for a few minutes.

I am typically in the office from **8:00 am to 6:30 Monday thru Thursday** but I am often on the phone, so it helps to have a pre-set phone appointment so we avoid voicemail tag.

Additionally, if you are only available to chat during the evening, I can make that work too. Just respond to this email with some days and times and I will respond with a confirmed date and time.

Thank You,

Victoria



Victoria Suner | Investigator

AGO Consumer Protection Division

800 5th Ave Suite 2000

Seattle, WA 98104

Phone: 206-516-2995

E-mail: Victoria.Suner@ATG.WA.GOV

Exhibit 8 is Omitted

Exhibit 9

Subject: Re: Document Attached
From: William Portuese <[REDACTED]>
To: Josh King <[REDACTED]>
Date Sent: Thursday, August 1, 2019 2:24:26 PM GMT-07:00
Date Received: Thursday, August 1, 2019 2:24:41 PM GMT-07:00

He has almost no negative reviews anywhere with a base of very mentally unstable patients who undergo sex change operations. Several local surgeons have seen negative reviews pop up on Yelp , and then they disappear 3 days later. I strongly suspect his attorney sends them a nastygram to take down the neg reviews with the reminder they signed the NDA
Bill

On Thu, Aug 1, 2019 at 2:04 PM Josh King <[REDACTED]> wrote:

Thanks. It's a shifty agreement; it doesn't out-and-out prohibit writing negative online reviews (that would be clearly illegal) but I'll bet he uses it to that effect.

Josh

On Thu, Aug 1, 2019 at 1:43 PM William Portuese <[REDACTED]> wrote:

My sources got this about 6weeks ago. I am sure he is still using it. He also has in-house counsel for a 2 doc office, which is rather suspicious. He also advertises that he is the highest rated plastic surgeon in seattle on most of his google ad placements
Bill

On Thu, Aug 1, 2019 at 1:27 PM Josh King <[REDACTED]> wrote:

Interesting, thanks. Do you know how old this agreement is/whether he's still using it?

Josh

On Thu, Aug 1, 2019 at 1:20 PM William Portuese <[REDACTED]> wrote:

Josh,
Tom asked me to send this to you regarding Dr Javad Sajan here in Seattle
Bill Portuese MD

----- Forwarded message -----

From: Maddy Derrick <[REDACTED]>
Date: Wed, Jul 31, 2019 at 4:10 PM
Subject: Document Attached
To: William Portuese <[REDACTED]>

Maddy Derrick
Front Desk Coordinator
Dr. William A. Portuese
[REDACTED]

Please note that this email is not necessarily protected against interception by unauthorized individuals and it is not confidential or privileged. Please note that email addresses can be falsified, so that there is no guarantee that this email is from the address of the sender. Please contact The Seattle Facial Plastic Surgery Center by telephone if you would prefer to use a secure messaging service. If you are concerned that the message may be spoofed, please contact directory assistance for The Seattle Facial Plastic Surgery Center's telephone number.

--

Josh King

General Counsel



--

Josh King

General Counsel



Exhibit 10 is Omitted